

Further misbranding, Section 403 (f), the common or usual name of each ingredient contained in the article was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since the name of each ingredient contained in the article was in small type and appeared inconspicuously on the side panel.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices, No. 1350.

DISPOSITION: March 10, 1944. The Maritime Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

FISH AND SHELLFISH

8025. Adulteration of canned mackerel. U. S. v. B. A. Griffin Co., Inc., and Bennett A. Griffin. Plea of guilty on behalf of the corporation and plea of nolo contendere by the individual. Fines, \$400 and \$100 against corporation and individual, respectively. (F. D. C. No. 12514. Sample Nos. 47201-F to 47203-F, incl.)

INFORMATION FILED: June 21, 1944, District of Massachusetts, against the B. A. Griffin Co., Inc., and Bennett A. Griffin, president of the corporation, Barnstable, Mass.

ALLEGED SHIPMENT: On or about June 18, 1943, from the State of Massachusetts into the State of Tennessee.

LABEL, IN PART: "Griffin's Atlantic Ocean Mackerel * * * Packed for B. A. Griffin Co., Inc., Milwaukee, Wis."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid and decomposed substance, i. e., stale, putrid, and decomposed mackerel.

DISPOSITION: April 24, 1945. A plea of guilty having been entered on behalf of the corporation, and the individual defendant having entered a plea of nolo contendere, fines of \$400 and \$100, respectively, were imposed.

8026. Adulteration of salted mackerel. U. S. v. Covington Brothers & Co. (Covington Brothers & Co. of Mayfield, Inc.). Plea of guilty. Fine, \$500 and costs. (F. D. C. No. 12569. Sample No. 62923-F.)

INFORMATION FILED: September 23, 1944, Western District of Kentucky, against Covington Brothers & Co., a corporation, trading as Covington Brothers & Co. of Mayfield, Inc., at Mayfield, Ky.

ALLEGED SHIPMENT: On or about February 16, 1944, from the State of Kentucky into the State of Missouri.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed and putrid substance.

DISPOSITION: November 21, 1944. A plea of guilty having been entered on behalf of the defendant, a fine of \$500 and costs was imposed.

8027. Adulteration and misbranding of canned salmon. U. S. v. 171 Cases of Canned Salmon. Default decree of condemnation and destruction. (F. D. C. No. 13902. Sample Nos. 78926-F, 78927-F.)

LABEL FILED: October 16, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 20, 1944, by the Keystone Storage Co., from East Liverpool, Ohio.

PRODUCT: 171 cases of canned salmon, at Chicago, Ill.

LABEL, IN PART: (Portion) "Canteen Cohoe Alaska Salmon * * * Distributed By Western Fisheries Company, Seattle, Wash."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (e), a portion of the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), it was fabricated from two or more ingredients, salmon and salt, and its label failed to bear the common or usual name of each such ingredient.